A True RELATION OF THE Unjuſt Accuſation Of Certain French Gentlemen,

(Charged with a Robbery, of which they were moſt Innocent)

And the Proceedings upon it, with their Tryal and Acquittance in the Court of *Kings Bench*, in Eaſter Term laſt.

Publiſhed by

DENZELL LORD *HOLLES*,

Partly for a further manifeſtation of their Innocency, (of which, as he is informed, many do yet doubt) and partly for his own Vindication, in regard of ſome Paſſages at that Tryal, which ſeemed very ſtrongly to reflect upon him.

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HARVARD COLLEGE
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CONceiving my ſelf under ſome neceſſity, not onely to make known the Innocency of a couple of young Gentlemen of the French Nation, whom a curioſity of ſeeing other Countries beſides their own had brought into *England*, and who, by a great deal of Art and Malice, had been drawn into danger by a Robbery laid to their charge, of which they were as free as the Child new born; And alſo to vindicate my ſelf of ſome blemiſh, which was endeavoured to be caſt upon me at the Tryal of thoſe Gentlemen in the Kings Bench, as if ſomething had been done by me, not fair nor juſtifiable, in the carriage of that Buſineſs, and ſome harſh uſage which I received in Court: Theſe conſiderations have induced me to make publick the whole Proceeding from the beginning to the end.

But by the way, let me anſwer one thing which may be objected, *Why I have ſtaid ſo long to ſet out this Narrative, it being now almoſt a twelve month ſince theſe tranſactions were, which gave the occaſion for it?* to which I ſay, That it was ſtill my deſire, before I made it publick in Print, to be judicially cleared in my Reputation; and before I did apply my ſelf to any Higher Power either King or Parliament to be ſo cleared, to do my ſelf firſt that right, to declare the truth of all Paſſages, whereby the clearneſs of my Proceedings might appear, I ſtill being in the ſame capacity, and upon the ſame level, as I was, when thoſe indignities were put upon me, and when ſuch a diſguiſe was put upon

on the whole buſineſs as the truth could not appear, that was, to give a full and true account of all in an Ordinary Court of Juſtice, which I would have done then in the Kings Bench, but could not be ſuffered, and for which I knew I ſhould have an opportunity, when thoſe Gentlemen ſhould bring their Action againſt the Perſons who had ſo falſly and malitiouſly accuſed them, as they have ſince done in the Court of Common Pleas, and there I did them and my ſelf that right, to lay open the whole matter, with which the Court and Jury were ſo well ſatiſfied, that they had a Verdict for Four hundred Pounds dammages againſt them; and after that, I immediately made my Complaint in the Houſe of Lords for what concerned my ſelf, where I have received that Juſtice, which hath abundantly ſatisfied me, (my Honour being the only thing dear unto me, which before had been blemiſhed, and was there cleared) and now I come to preſent it all to the publick view, and ſhall do it as ſuccinctly as I may, with all candor and ſincerity.

Theſe two Gentlemen, One, a youth of about 17 years of age, called *Valentine Simon Chevalier de Hoeville* (that is, Knight of *Hoeville*, according to the French ſtile, he being deſtinated (it ſeems) by his Parents to be a Knight of *Malta*, when they uſe to give them the Appellation of Knights, even while very young before their going thither to take upon them the Vow and the Habit:) The other, his Name is *Adrian Lampriere S^r des Mezieres*, young alſo, but nineteen years old, and of a good Family in *Normandy* as well as the other, both of them Neighbours to my Wife, and to her Eſtate in thoſe parts. Theſe two young Men, younger Brothers, but with money in their Purſes, came hither, not to rob upon the High-Way, but to ſee Faſhions, and have ſeen One with a Witneſs not very well to be liked by them: They landed at *Ratcliff*, the ſecond or third of *November*;

vember; and having a recommendation to lodge at Master *Sedgewick*'s House, a Barber, in the *Strand*, they came thither, and there they continued, till forced to lie in a Prison against their Wills.

Though they were Neighbours, and their Parents of acquaintance and Friends to my Wife, yet she heard not of them, till they were made to cry to her out of the Goal of *Hartford*; They excused it afterwards that they would not see her, till they had put themselves into Black Clothes, as most wore at that time. They kept in their Lodgings, and scarce ever went out, but to their Dinners and Suppers at an Ordinary (as several Credible Witnesses made it out at their Tryal) from the day of their coming to *London*, until the Thursday sennight after, which was the 11th of *November*. That day, they and three others of their Countreymen (whom they had fallen acquainted with here) agreed to go see a Merchant about *Barnet*, with whom they had some business; Missing of him, they resolved to go see *Hatfield* House. One of their Company onely spake English, whose Name was *Beauuais*, themselves not one word, and the other two as little. For this Journey they hired Horses, in two or three places, from several Persons, the best Horse not worth above three Pounds. These Horses were brought to their Lodgings upon the *Thursday* Morning, their Landlord's Wife passing her word for them. One of the Company had no Boots, a young Youth, whose Father is a rich Merchant in *Paris*, his Name *Boutandon*; He lay in *Long-Acre*, and took Horse there; And it is said, they had much adoe to get him upon his Horse, having scarce ever been upon one before, and Boots it is certain he had none at all, nor they say never had any: And not a Pistol among all five. In this Equipage they began their Voyage, how like to be High-Way Men, let any man judge,

eſpecially having no Language, nor no knowledge of the Countrey, or of one foot of the way in it, and Horſes that could ſcarce go out of a way when they were in it. They came to *Hatfield* upon the Market Day, went into the Market, ſaw *Hatfield Houſe*, and coming back to their Inn, the Town did riſe upon them, and apprehended them for Thieves, that had robbed four Butchers, whoſe names were *Robert Simons*, *Robert Bellingham*, *Edward Lawrence*, and *Solomon Grace*, upon *Totternol Hill* in *Bedfordſhire* the Monday before, being the eighth of *November*, between three and four of the Clock in the Afternoon. Thoſe Butchers among the reſt came, and viewed them, and having ſeen them, One or two of them (as I have been told) were very doubtful of accuſing them; *Solomon Grace* by Name, ſaying (as one *Murrel* a Chirurgion who did then reſide in *Hatfield*, and was preſent, hath aſſured me) that he would not for the World ſay, they were the men that did the Robbery: Onely two of the Butchers ſaid, They thought they were them, and going into the Stable, ſaid, They thought they knew one of the Horſes. They kept them there all the Thurſday, trying to get the Money from them which the Butchers had loſt, about 27 pound, upon which condition, they ſaid they would let them go, and not carry them before a Juſtice. But they refuſing it, they then upon the Friday Morning carried them before Sir *Francis Butler*: He examined them, and heard the Accuſation of the four Butchers, without giving them their Oath; And upon the bare ſaying of three of them, One, that thoſe men were like thoſe he ſaw upon the Road, the other two, that they did believe them to be thoſe that robbed them: He made his Mittimus, and ſent them to the Goal at *Hartford*, whither they were compelled to walk on foot: And when they came thither, were preſently put into Irons, and laid in a low damp Room, with ſcarce

any

any light to it, no Bed, and only Straw to lie upon; and ſo they lay from Friday the twelfth of *November*, till the Sunday fortnight after, ſeventeen dayes, more like Dogs then Perſons of any Quality: And no body at *London* had known what had become of them, if that *Murrel*, whom I named before, hearing them tell where they lodged in *London*, had not of himſelf come and given notice at that Houſe, That their Gueſts were in *Hartford* Goal. The Examination and the Mittimus follow Verbatim.

The Examination of *Solomon Grace*, Drover; *Robert Simmons*, *Robert Bellingham*, and *Edward Lawrence*, Butchers, all of the Pariſh of *Edmondton* in the County of *Middleſex*, taken before me, One of the Juſtices of Peace for the County of *Hartford*, upon the 12*th* of *November*, 1669.

Solomon Grace ſaith, *That he riding on the Road near* Totternol, *ſaw five young men aſoot, with their Horſes in their hands; he ſuſpecting them, made haſte from them; and being got at a good diſtance, ſtayed to let his Horſe drink, but ſeeing them coming towards him, he galloped away, and heard one of them ſay,* Farewel old man; *And looking about, ſaw them all turn back towards* Totternol Hill, *which was about a mile diſtance from him; and ſaith, That the Perſons apprehended are very like thoſe he ſaw upon the Road.*

Robert Simmons ſaith, *That on Monday, being the eighth of* November, 1669. *about three or four of the Cl ck in the Afternoon, upon* Totternol Hill, *in the Pariſh of* Totternol, *he was robbed, and had 27 pounds taken from him, and believes the Perſons now apprehended, are the men which robbed him.*

Robert

Robert Bellingham, *as to time and place, agreeth with* Robert Simmons, *and further ſaith, That he and* Robert Simmons, *and* Edward Lawrence, *riding together, eſpied five men coming towards them, which they judged to be Thieves, and therefore putting Spurs to their Horſes, thought to eſcape them by riding, but two of them overtaking him, one of the two clapt a Piſtol to his Breaſt; they ſearched him, and finding no Money, they took his Bridle and his Girdle, and the other three purſued* Robert Simmons, *And he verily believes that the black man, which calls himſelf* Adrian Lamperiere, *is the man that pulled the Bridle off his Horſe.*

Edward Lawrence ſaith, *He was in Company with* Robert Simmons *and* Robert Bellingham, *on the foremention'd day, time, and place, and ſaw the five men, which they ſuſpected to be Thieves, but being well horſed, eſcaped.*

The Examination of *Paul Bovey, Adrian Lamperier, John Boudandon, Valentine Chivalier*, and *Guinet Chateuneuf*, all French men, taken before me, One of His Majeſties Juſtices of the Peace for the County of *Hertford*, upon the 12*th* day of *November* 1669.

Paul Bovey ſaith, *That he is a Servant to One of My Lord Chamberlains Sons, Mr.* Edward Montacute, *but that he lodgeth at Mr.* Munduglas *his Houſe, in George Lane in Kings-ſtreet*, Weſtminſter. *He ſaith he came to* Hatfield *upon the* 11th *of* November 1669. *with four of his Friends, to ſee the Earl of* Salisburies *Houſe, And that on Monday before, he and one of his Friends dined at the Scottiſh Ordinary in* Bedfordbury, *and on Tueſday they all five dined in the ſame place.*

Adrian Lamperier saith, *That he came into* England *the second of this Instant, and that he lodgeth at one* Sedgwick's *a Barbers, over against the* Maypole *in the* Strand.

John Boudandon *saith, he came into* England *the* 15*th of* August *last, and lodgeth in* Long-Acre, *at a Semstres House over against the Castle; and that he tradeth in Merchandize.*

Valentine Chevalier *lodgeth with* Adrian Lamperier, *and came into* England *with him.*

Guinet Chateauneuf *lodgeth with* Paul Bouey, *which Monsieur* Bouey *hired all the five Horses, upon which they rode to* Hatfield. Sedgwick *past his word for three of the Horses, who lives in the* Strand *over against the May-pole; and all but* Bouey *affirm, they were not out of* London *since they came thither, until the fore-mentioned* 11*th of* November.

The Mittimus.

To the Keeper of his Majesties Gaol for the County of *Hertford.*

I *Herewithall send you the Bodies of* Paul Bouey, Adrian de Lamperier, John Boutandon, Valentine Chevalier, *and* Guinet Chateauneuf, *brought this day before me, and charged with the Felonious taking away twenty seven pounds from* Robert Simmons *of* Edmondton, *and rifling* Robert Bellingham *upon* Totternol-hill, *on the* 8*th day of this instant* November, *between three and four of the Clock in the afternoon: These are therefore on the behalf of our Sovereign Lord the* King, *to command you to receive the forenamed* Paul Bouey, Adrian Lamperier, John Boutandon, Valentine Chevalier, *and* Guinet

Guinet Chateauneuf, *and them ſafely to keep in your Gaole until they ſhall be thence delivered by due Order of Law: hereof fail not. Given under my Hand and Seal at* Hatfield-Woodhall *this* 12*th of* November 1669, *in the* 21*th year of his Majeſties Reign.*

Francis Boteler.

Mr. *Sedgwick* their Landlord preſently ſent his Son to *Hertford* to them, and with him their Servant, whom they had left in *London*; And that Servant they ſent back, with a Letter to my Wife, to let her know who, and where they were: with which ſhe acquainted me upon the Monday-morning, I being at that time ſick in bed. Whereupon I ſent for *Sedgwick*, who came to me immediately, and brought with him the men of whom they had hired the Horſes, and his Son, and (as I remember) a Servant of his. He gave me an account of thoſe Gentlemen, aſſuring me they had not been out of *London* from the time of their coming thither, till that Thurſday; And that he believed them to be very honeſt men, they having carried themſelves very civilly in his Houſe: And however, That he would take his Oath, they had not committed any Robbery upon Monday the 8th of *November*, for he knew they were all that day in *London*; which his Son and Servant likewiſe affirmed; and the Men of whom the Horſes were hired, ſaid, they had them but that Thurſday. And he offered himſelf to be Bayl for them, but ſaid he could not poſſibly go thither to bayl them till the Wedneſday; Upon which day I ſent one with him to joyn in the Bayl; They firſt went to Sir *Francis Boteler*, the Juſtice that had committed them, *told him who thoſe Gentlemen were whom he had committed; that they were perſons known unto me ſo far, as that I would anſwer for them, being very well aſſured that they*

they were not guilty of that Robbery, as having not ſtirred out of London *all that day on which the Robbery was done in* Bedfordſhire, *at thirty miles diſtance from thence, nor had been out of* London *from the time of their arrival thither out of* France, *till the day before he committed them to* Hertford-Gaol, *which was three dayes after the Robbery, when they went from* London *to ſee* Hatfield-Houſe; *and that therefore I had ſent them to him, to be their Bayl:* But all this would not prevail with Sir *Francis Boteler*, who bade them go to ſome other Juſtice, ſaying, It was not fit for him who had ſent them to Priſon, to take Bayl for them to let them out. He was then deſired, they might not lie in Irons: but he would not meddle with that neither, ſaying, he left that to the Gaoler, who knew how to keep them. So they left him, and went to ſeek ſome other Juſtice at *Hertford*, And when they came thither, they found a Letter there from Mr. Juſtice *Morton*, that then they could not be bayled. The Letter was directed to the Gaoler of *Hertford* as follows.

SIR,

THere *being Information given to my Lord Chief Juſtice and my ſelf, that there are five high-way Robbers apprehended in* Hertfordſhire, *and committed to the Goal, I am deſired by my Lord Chief Juſtice to require you to look carefully to them, that they do not eſcape out of your Cuſtody, and to iron them well: And withall to write up unto us by what Names they are committed to you, and what their true Names are, if you have or can diſcover the ſame; becauſe we are informed, That they refuſe to declare what their true Names are: And the Return thereof you are to ſend by this Bearer, and to be very careful that they may not eſcape, or be bayled without our ſpecial Order: And this we require you to perform at your utmoſt peril.*

Chancery-Lane,
Nov. 15. 1669.

Postscript.

I pray you, That the Bearers hereof be admitted to view the Prisoners, and to confer with them.

So *Sedgwick*, and he that went with him to bayl them, returned next day to *London*, *re infecta*, brought me Copies of the Examination, Mittimus, and of Judge *Mortons* Letter: With which I presently went to *Serjeants-Inn* to the Judge, and discoursing the matter with him, made it appear they could not be Thieves: so he said, they should be bayled, but that he must speak first with the Chief-Justice, because the Letter had been written by his advice, and he would give me an account of it the next day in the Lords House: He came accordingly, and then told me the Case was altered, since he had seen me, for that the Butchers had now been with the Lord Chief-Justice, and positively charged them with the Robbery upon their Oaths, so as now they were not baylable. I replied, I thought it strange, That first a Justice of Peace should send Men to Prison without any Oath against them, of so much as Suspition, keep them so long in Irons, so hardly used; and after several dayes lying so, their Accusers to be sent for to swear to their Accusation, when they had not done it before; so to make good *a posteriore*, what upon their Commitment before was not good. (For certainly their Imprisonment, and all the Dures they had suffered, without an Accusation upon Oath, and to refuse bayling them, was unjust and illegal:) And I said; the King should be acquainted with it: Which he was, and the Chief-Justice was sent for, and I commanded by his Majesty to attend at the same time, which was the Monday after in the morning: When we came thither, the Chief-Justice telling the King they were Highway-men, and I affirming they were not, and that I would undertake for them

them body for body: His Majesty said, they should then be bayled, and commanded the Chief-Justice accordingly to do it, who said he would; but yet was it a whole week after, ere I could get them brought to the Kings-Bench Bar to be bayled; For just that day sennight after, upon the Monday, they were brought thither, and there I entered into a Recognizance of Two thousand Pounds for their Appearance at the next Assizes at *Bedford*: And all that week they had lain in Irons in their nasty Hole at *Hertford*: Nay, I am credibly inform'd, That when they were brought to the Side-Barr in *Westminster*-Hall in the morning before the Court sate, the Chief-Justice was angry, because they had not Irons on; which was a very great severity to poor young Gentlemen, strangers, whom the King had commanded to be bayled, and whom (if I may say it without vanity) a Peer of the Realm had undertaken for, in the Presence of his Majesty.

At *Bedford* Lent-Assizes they appeared, and were indicted, but their Tryal was by the King's Command removed by *Certiorari* into the King's-Bench. And the first day of *Easter Term* they appeared there: Whither I went not my self with them, because the Small-Pox was in my House, which made me keep within doors, but I sent my Son, bade him do my service to my Lord Chief-Justice, tell him the occasion why I came not, and that he was there to perform what was to be done for the bayling of those Gentlemen: Now it seems the use is upon such a kind of Bayl, after an Indictment upon a *Certiorari*, to require four Persons to answer for the Prisoner body for body: So my Son offered himself, and Mr. *Sedgwick* the Landlord to these Gentlemen, (a Substantial Man, worth at least two or three Thousand Pounds) and two other men, *French-men*, but House-keepers, and that live in a good fashion, to be the

Bayl: The Chief-Juſtice asked thoſe two, what eſtate they had, and if they would ſwear, that all their Debts paid, they were worth three hundred pounds, which they refuſing to do, he put them by, and would not accept of them for Bayl; which I am told is not uſual to be required of ſuch kind of Bayl, that undertake body for body for a Priſoners being forthcoming.

Well bayled they were not, but to Priſon they went, and there they continued until their Tryal upon Wedneſday the 11th of *May*, at which I was preſent in Court. That day they were brought to the Barr, and the four Butchers came, their Accuſers, and were ſworn in Court, of whom three charged them with the Robbery; And *Solomon Grace* was one of the three, who had refuſed to ſwear againſt them, when they were firſt ſeized on at *Hatfield*, and afterwards at *London* when the Lord Chief-Juſtice ſent for him; And I am very certain that he ſaid afterwards in my houſe in my hearing, and of ſeveral of my Servants, that he had not ſworn againſt them, nor would for all the world; (The occaſion of his coming to my houſe I ſhall hereafter relate:) The fourth man, *Edward Lawrence* ſaid, he ſaw the five Thieves at a diſtance, but he rode for it and eſcaped, and could not ſay it was thoſe five men at the Barr. A fift man was produced, one *George Pettiford*, who ſaid that he rode in Company with *Beauuais* within half a Mile of *Totternel*-Hill about two of the clock in the afternoon that day that the Robbery was, but could not ſay any thing to the Robbery: The Butchers ſaid alſo, that two of the Horſes which they rode upon, when they robbed them, *viz.* that which *Adrian Lampriere* had, a Bay with a white face and white feet, and that which *Beauuais* had, a Gray, were taken with them at *Hatfield*; where, upon the Hue and Cry all the five men were apprehended. *Simmons* ſaid further, that

Beauuais

Beauuais was the man, that took his Money from him: And *Bellingham* ſaid, that the black man, (who was *Adrian Lampriere*) when he overtook him, held a Piſtol to his Breaſt, and ſwore to him *Dam-me what Money haſt thou about thee?* and then rifled him, and finding nothing, took his Girdle, and pulled his bridle off his horſes head. And the ſame *Bellingham* ſome-while after being again asked and put to it, to repeat what *Lampriere* ſaid, and in what language he ſpake, when he came to him; He then anſwered, that he ſaid *Dam-me*, and jabberd to him, but he knew not well what he ſaid: So would not ſtand to what he had poſitively ſaid before of *Lamprieres* asking him, what Money he had in his Purſe: And I dare affirm that at that time Mr. *Lampriere* could not have ſpoken ſo much Engliſh to have gotten thereby all the Money in *England*; Of which One *Pinſon* (that teacheth ſtrangers the Engliſh tongue, whom he hath ſince had to teach him) will take his Oath. This was the Charge.

Then the Priſoners being required to anſwer to it, Mr. *Lampriere* began to give an account of himſelf, what he was, and what had brought him into this Kingdom; That he was a Gentleman, and came not hither to robb upon the High-way: That his friends would rather wiſh him a thouſand times dead, than to be branded with ſuch an Infamy; And ſo was going on, when the Chief-Juſtice interrupted him, and bad him ſpeak particularly to the matters of his Charge; (And certainly what he was ſaying was much to the purpoſe, to ſhew in the firſt place the Improbability of his being guilty of ſuch a Fact, by being a Gentleman, a ſtranger in this Country, and whoſe friends would deteſt him if he had committed that Fact;) He then only named ſome Perſons, and deſired they might be heard, to prove, that he could not be guilty of that Robbery, for that he was in *London* all that Monday the

8th

8th of *November*, when the Robbery was committed upon *Totternol-hill* in *Bedford ſhire*.

And firſt, one Mr. *Richard Compton*, an ancient Gentleman, and (as I am informed) a Juſtice of Peace in his Country, was produced, who ſaid, That he lodged in the ſame Houſe with the two Gentlemen at the Barr, at Mr. *Sedgewick's* the Barber, that he ſaw them there, and ſpake with them the Saturday, underſtanding French a little, and ſaw them and ſpake with them the Monday, which was the 8th of *November*, firſt in the morning, and then at two of the clock in the afternoon, and again at five of the clock the ſame Evening: (ſo then if he ſaid true, it was impoſſible they ſhould be that day Robbing at *Totternoll-hill*; And a grave Perſon of that Quality affirming a thing in ſuch a ſolemn Aſſembly, in a Court of Juſtice is certainly more to be believed, then thoſe Butchers, even upon their Oathes, who as it appears cared no more to hang men with taking a falſe Oath, then to have knockt one of their Calves in the head, and accordingly it ſeems the Jury did believe him,) He ſaid further, that he ſaw them alſo the Wedneſday, and thought he ſaw their Horſes on Thurſday, which they rode on to *Harfield*. The Chief-Juſtice asked him, how he came to take ſo good notice of his ſeeing them the Monday? he anſwered, that when he heard they were taken as Highway-men, and to have done a Robbery ſuch a day, he had recollected his Memory, how he had ſeen them at times all that day in *London*, and had ſet it down in a Paper, with the day of the Month, and pointing to the two Gentlemen at the Barr, to ſhew he meant them, the Chief-Juſtice bad him name them, He ſaid, he knew not their Names, which the Chief-Juſtice preſently laid hold on, and asked him, how then he could give ſuch a Teſtimony of them? he anſwered, that they had told him their names, but he had forgotten

forgotten them, and called them ſtill only *Monſieurs*.

Next *Thomas Doughty*, an antient man likewiſe, a Solicitor, was called: He ſaid, he ſaw thoſe two Gentlemen in Mr. *Sedgwick's* houſe, Saturday the 6th of *November*, and the Monday being the 8th at three of the clock in the afternoon (juſt the hour of the Robbery) and ſaw them alſo there the Tueſday, and the Wedneſday; The Chief-Juſtice asked him, how he came to take ſo much notice of them? he anſwered, that he followed buſineſs for Mr. *Sedgewick*, and ſo had occaſion to come often to the houſe, where he ſaw them.

Then Mr. *Sedgewick* was heard, who ſaid, That thoſe two Gentlemen, *viz.* Mr. *Lamprtere*, and the *Chevalier*, came to his houſe the 2d of *November*, being then newly arrived out of *France*, and recommended by ſome body, that had told them there were ſome in it that ſpake *French*: And that from the time of their coming to *London*, till the Thurſday ſennight that they went to *Hatfield*, they had not been out of his houſe above two hours at a time, and then only to their Dinners and Suppers at an Ordinary in *Swan-Alley*: And that particularly upon Monday the 8th of *November*, they were in his houſe all the morning till about eleven a clock, and then went out to dinner to the Ordinary, and came back about one or two, and ſtaid within till ſupper time, and then went to the Ordinary, and came back after ſupper: The Chief-Juſtice asked him, where they dined upon the Sunday before, he ſaid they dined with him at his houſe: And that the Tueſday and Wedneſday following they were within both forenoon and afternoon, only going out to their meals: that Thurſday they took horſe at his door to go to *Barnet*, with a reſolution to ſee *Hatfield*-Houſe before their return.

Mris *Sedgwick* (his Wife) ſaid, that thoſe two *French*-Gentlemen came to their houſe upon the 2d day of *November*

vember about ten of the clock in the forenoon, brought thither by a Waterman, to whom (they having no Engliſh Money) ſhe gave a Crown for them: That they went out to dinner to the Ordinary, and afterwards came back, and lay upon their beds, and ſhe ſaw them no more till the next day, when ſhe changed ſome French Gold for them; That from the 2d to the 11th of *November* that they went to *Barnet*, they were not above two hours at a time out of doors: That Mr. *Beauuais* went with them, becauſe he ſpake Engliſh: That they ſaid if they found not their Merchant at *Barnet*, they would go to *Hatfield*: That ſhe paſſed her word for their Horſes; And not ſeeing them come home again on Thurſday, ſhe much wondred at it, and on Friday in the evening one came to tell them, they were in *Hertford* Gaol: That they ſent Letters to the Lord *Holles*, who knew them: That three of them took horſe at their door about nine or ten of the clock in the forenoon, and were to meet the two others in *Drury-Lane*: And that the horſes were ſo bad, as they ſaid it would be a ſhame to be ſeen upon them.

I muſt note here that upon the naming of me, and mentioning the Letter, that ſhould be written to me, the Chief-Juſtice ſeemed to be moved, and ſaid ſome thing which I did not well hear, whereupon I ſtood up, and ſaid, My Lord, I ſhall give you an account how I came to be concerned, and ſo began to tell, That they were Gentlemen, Neighbours to my Wife in *Normandy*, who came over hither to ſee the Country, and falling into this misfortune, writ a Letter to my Wife to acquaint her with it, not to me, (which was a miſtake in the Witneſs;) And ſo was going on to relate what I knew of the buſineſs; But his Lordſhip was pleaſed in a very angry peremptory manner to interrupt me, firſt asking if I was to give Evidence, then bidding me forbear, and ſaying I muſt not interrupt

the

the Court. I replied, That I hoped it was not to interrupt the Court; Nor to do them any wrong to inform them as as much as was poſſible of all paſſages, that they might the better underſtand the whole truth of the buſineſs: He anſwered again very angrily, My Lord, you wrong not the Court, but you wrong your ſelf: And it is not the firſt time you have been obſerved to appear too much for ſtrangers.

So I was ſnubb'd, and ſate down again. But I muſt ſay, it was a language, I had not been uſed to, nor I think any of my condition, that have the Honour to ſerve the King in the quality I do of a Privy-Counſeller.

Then *Sedgwick* the Son was called, who ſaid he knew thoſe two, *viz.* Mr. *Lampriere*, and the *Chevalier*, That they came to lodge at their Houſe, the 2d of *November*, and their contiuned till the 11th. That the day before they went their journy all five met at their ſhop; And that in the morning, three of them (their two lodgers and *Beauvais*) took horſe there, and ſaid they ſhould meet the other two in their way, and ſo go to *Barnet*: That upon Monday the 8th of *November*, he ſaw the two (the *Chevalier* and the other) at home about ten of the clock, and again about two in the afternoon; And that they ſtaid within till the evening; And the ſame account he gives of them for Tueſday and Wedneſday.

His Siſter *Mary Sedgwick* confirms what was ſaid of their aſſiduous and conſtant being at home; Only adds this, that upon Monday morning the 8th ſhe carried up a Landreſs to them to their Chamber, and that the little man, meaning the *Chevalier*, was in his bed about ten or eleven of the clock: And that every day after until Thurſday ſhe ſaw them in her ſhop, ſhe keeping a Sempſtreſs Shop.

Philip Lemmon a Poulterer ſaith, That as he was wa-

tering his horſe in the *White-Hart yard* upon the Wedneſday, Mr. *Lampriere*, the *Chevalier*, and *Beauvais* coming by, *Beauvais* asked him, if he had any Horſes to let? and he ſaid, he had but one: So they went, and he with them, to one *Hooper*, who had but one neither, and asked 3 *s.* for his hire, and they proffered half a Crown: He ſaid that his Horſe was a Bay, with a white face and four white feet, *Hoopers* was a little Gray Nag, and that there was a Gray Mare beſides hired of another man: And ſaid, That one Capt. *Hill* had hired his Horſe on the Monday before to go to *Brickhill*, and kept him till the Wedneſday: It is to be noted, that this was the Horſe, which the Butchers ſwore, *Lampriere* had under him when he robbed them, whereas it appears by this mans Teſtimony, that one Captain *Hill* had him that day, and full two days after, for he brought him back to *London* but the Wedneſday, the day before theſe Gentlemen hired him.

Mary Hooper, Wife to him that let out one of the Horſes, ſaith, That ſhe ſent the little Gray Nagg on Thurſday morning to Mr. *Sedgwick*'s houſe, And that on the Wedneſday before ſhe ſaw thoſe three Men with her Husband hiring that Horſe of him: And note, That this was the other Horſe, which the Butchers ſwore that *Beauvais* ridd upon when he robbed them; Whereas it appears, that none of them had this Horſe till three dayes after that Robbery, when they went to *Hatfield*, nor was it *Beauvais* who had him then, but Mr. *Lampriere*; ſo they ſwore falſly, for it appears, neither he nor the Horſe were there.

William Wood Maſter of the Victualling-houſe in *Swan-Alley*, witneſſed, That Mr. *Lampriere* and the Chevalier dined and ſupped at his Houſe Monday the 8th of *November*. The Chief-Juſtice asked him, how he came to take notice,

notice, that they were there just that day? He answered, That there was a Writing sealed between two Persons at his House that day, and he had since looked upon the date of it, and found it to be the 8th of *November*, and he very well remembred that those two Gentlemen were then present. The Chief-Justice then asked him, Where they dined upon the Sunday? He said, at his House. Whereupon Mr. *Sedgwick* was presently called, and asked again, where the Gentlemen dined on Sunday? and he (as he had done before) said, at his House.

Of this the Chief-Justice took notice, shewing how the Witnesses contradicted one another, which he said took off their whole Testimony (or some words to that effect; And by the way let me say, that I would not be understood to take upon me to repeat still the very Identical words that were spoken by any, but I am very confident, that I do not vary a tittle from the sense of what every one said.) The same *Wood* also testified that they had dined and supped at his house the Tuesday, and the Wednesday following; So as it appears, they continued still in *London* until the Thursday.

Then *Charles Walrond* came into the Court and confessed, that himself, *Du-Val*, *Ashenhurst*, *Cassels*, and *Mac-Guy* were the five men that committed that Robbery upon the Butchers at *Totternol-Hill* upon Monday the 8th of *November*; That they robbed them about the middle of the Hill; That himself rode upon a Brown Gelding. That it was *Ashenhurst* that took the Money from the Butcher, about 22 *l.* odd money: The Chief-Justice then stopt him, and said, That he knew he would say what ever he was bid to say; And then asked him, if he had been indicted for this Robbery? he said, No; and the Chief-Justice replyed, Now Sirrah you have confest enough, and

you shall be indicted, or you may be indicted, one of the two I am sure he said, but which I will not positively affirm.

He had said in the account he gave, That one of the Butchers breaking from them and galloping away, he followed him over some Plowed-Lands; and the Butcher affirming it was Stubble he rode over, the Chief-Justice made a great matter of it, insinuating, as if *Walrond* had said false, and that he was not there at all, but meerly took this Robbery upon himself at my sollicitation, upon hope of his Pardon; yet another of the Butchers confessed there was both Plowed-Land and Stubble: And what was it material which it was? It had been no wonder, if neither could have told, and that both had been mistaken: For hardly doth either he that rides away from a Thief as fast as his Horse will carry him, and sufficiently frighted withal, or the Thief that rides as fast after him to overtake him, mind the Ground they ride over.

Then Sir *George Charnock* was called in to testifie what *Du-Val* and *Mac-Guy* had confessed concerning this Robbery: But first I must tell, how the Butchers (and *Bellingham* chiefly) had a little before given Information, That they had been sent for up to *London* by the Lord *Holles* his Warrant, and carried to *Du Val* at *Newgate*, where *Du-Val*, *Mac-Guy*, and they were examined by two Men, who pretended themselves to be Justices of Peace, and who after they had examined *Du-Val*, carried him to *Mac-Guy*, but first went in themselves, and staid with him half an hour, and when they came into the Room they took him aside again, and spake with him in private a good space, acquainting him (as *Bellingham* said he conceived) with what *Du-Val* had confessed, and promising him his Pardon, and that then *Mac-Guy* said the same things with *Du-Val*,

and

and took the Robbery upon him, as *Du-Val* had done before: I must note, that upon *Bellingham*'s saying they were sent for by me, I stood up and said, that it was done by the King's express Command.

The Chief-Justice asked, Who were those Justices, and what were their Names? and used some expression to this sense, That those Justices deserv'd to be sent to the Gaol themselves; And with that cast his looks upon me, and by his gesture and countenance seemed to mark out me, as the Setter and Contriver of a foul Practice, to send those Justices thither to make those condemned Persons own the Robbery, and acquit the French-men; So as all the standers-by took notice of it, and looked upon me, as well as did the Judge; yet I sate still and would not say any thing in the Court to vindicate my self, because I would not give any interruption to their proceedings, as the Chief-Justice had before told me that I did, and I believed he might again have said the same. But truly if I had done any unworthy thing even to have saved their lives, or had any design of suborning, or in any unfitting way perswading any body to do or speak for them, or had contributed any thing to the effecting of such a design, I should abhor my self for it. And after I shall have gone through with all the Witnesses, I shall then give an account, and a very true one, of all my transactions in that business: And will now go on with the Testimony of Sir *Goarge Charnock*.

He said, that himself and Mr. *Andrew Blackwell* Counsellor at Law, and Mr. *William Sedgwick*, and one of his Majesties Messengers, were sent by me, together with *Bellingham* and other the Prosecutors, to *Du-Val* to *Newgate* just before his going to Execution: That they found him in a room, which was not very dark, and yet had also a Candle in it, so as *Du-Val*, and the Butchers might easily discern

discern one another, and he asked them whether they knew one another? *Du-Val* confessed that he and his Camerades had committed the Robbery upon those men, and named *Walrond*, *Asheburst*, *Cassels*, and *Mac-Guy* to have been those that were then with him at that Robbery; That *Bellingham* thereupon swore, By God he was not the Person that Robbed them: And *Du-Val* upon that said, Friend be cautious how you swear and prosecute Innocent Persons; for men of your profession, Butchers, care not what you swear against any man; And instanced in a Robbery in *Surry* committed by him, and others, upon some Butchers, which they had charged peremptorily upon other persons that were innocent. And then said further to *Bellingham*, You may remember it was I, by the same token, that you fled from me over the Plowed-Lands, and my horse tired, so, as I left following you, and walked back with my horse in my hand; And Sir *George Charnock* said, that he then asked *Bellingham* what he said to that, and that *Bellingham* was startled at it, and confessed it to be true, that he did ride away from them towards *Layton*.

And so was going on with his Testimony, when the Chief-Justice interrupted him, and required him to answer a Question which he would propose, which was, to know how long he had been with *Mac-Guy* before the Butchers saw him? To which he answered, That he desired his Lordship he might first give a full account of what *Du-Val* had confessed, and that then he would tell all that had passed with *Mac-Guy*: But his Lordship would not suffer him, but said, Pray you Sir *George* go on no further, but answer this Question. Whereupon he told him, that he was a little while with *Mac-Guy*, but not alone, for Mr. *Blackwell* and young *Sedgwick* were there as well as he, and that he asked *Mac-Guy* if he was one of the Persons

which

which had committed such a Robbery? and he denyed it; whereupon he sent for the Butchers into the room, and desired them to look upon *Mac-Guy*, and see if they knew him; which they said they did not. The Chief-Justice then asked him, if he took not *Mac-Guy* aside the 2d time? he said he did, but Mr. *Blackwell* and young *Sedgwick* still present, and that it was only to make him discharge his Conscience and tell the truth, which he conceived it to be his duty to do, and so was going on to relate all passages; But the Chief-Justice stopt him, and with much sharpness reproved him, saying, Sir *George* you have gone too far, and have done too much already: here hath been a foul Contrivance, it would be examined by what Authority you have done it: And would hear him no further, nor suffer him to read *Du-Val* and *Mac-Guy*'s Examinations which he had in his hand and shewed unto him, notwithstanding that both Sir *George* and my self had just before told him, that all had been done by the Kings express command.

Then the Masters Mate of the Ship, *John Burdick*, who brought over the two Gentlemen into *England*, was called: He said, that he took in those two Gentlemen *viz.* Mr. *Hoeville* and Mr. *Lampriere*, and one Servant of theirs aboard his Ship at *Roven*, upon the 27th of *October*; that he landed them at *Ratcliff* upon the third of *November*; that they went into *London* that day, and came back and lay that night on shore in *Ratcliff*, and the next day they went again to *London*, and came no more; And he sent a Seaman along with them to carry their things: The Chief-Justice then asked him, if he was sure, that he landed them the 3d of *November*? he answered Yes, for that he had set it down in writing and had it ready in his hand to shew. Then *Sedgwick* the Father was presently called, and asked again, What day those two came to his house? he said

ſaid (as before) the ſecond of *November*: And ſharp Reflections were made upon this faltering in his Teſtimony, as if the ſtreſs of the matter had lain in this, Whether the ſecond or third of *November* was the day of their landing: which no man will ſay could ſignifie any thing, to prove, whether or no they had been robbing upon *Totternol-hill* the eighth.

And ſo ended the Tryal of thoſe two Gentlemen, *Hoeville* and *Lamptiere*: Then *Paul Beauvais* was called upon to anſwer for himſelf; And he deſired only that his Witneſſes might be heard, to prove his being in *London* the day of the Robbery.

And firſt Sir *Steven Fox* was called, who being in Court, affirmed upon his Salvation, that he ſaw *Beauvais* at a French Play that very day from three of the clock in the afternoon untill ſeven; (Note, this was the very time of the Robbery.) The Chief-Juſtice asked him, How he came to take notice that it was that very day? Of which Sir *Stephen* gave this account, That his Wife and himſelf, and his Daughter, and a Gentlewoman that waited on his Daughter, were that Monday at the French Play, and his Daughter ſitting before him in the Box, looked over into the Pit, and ſaw *Beauvais* there, and turned back to him, ſaying, Father, *Paul Beauvais* is not gone into *France*, I ſee him here: Whereupon he ſaid he looked over alſo into the Pit, and did ſee him there; and ſaw him alſo, and ſpoke to him at the end of the Play, about ſeven of the Clock: He ſaid alſo, That he was then to go into *France* to his Mother, and that he thought him gone: And for his taking ſuch particular notice of him, and his being there that very day, Monday the eighth of *November*, (for that was asked of him as well as of others) He gave this Reaſon, That hearing ſo preſently after, within four dayes,

that

that *Beauvais* was taken with ſome others, and committed to *Hertford* Gaol for a Robbery done that day, he eaſily recollected himſelf and remembred his being that day at the French Play: and this upon his Salvation he declared to be true.

His Wife the Lady *Fox*, and their Daughter, and the Waiting-Gentlewoman confirmed all that Sir *Stephen* had ſaid.

Then one *Mat-Don* (as I remember his name, who in *Beauvais*'s Examination at *Hatfield* is called Mr. *Mundug-las*; but whether miſtaken there or here, or in both I know not) a Scotch-man, at whoſe houſe *Beauvais* lodged, was called, who ſaid that *Beauvais*, and *Guinet* the other Priſoner with him, were at his houſe the ſaid Monday, and after dinner they went into *Holburn* (as themſelves ſaid) to a Barber there.

And that Barber he came and ſaid, that they were at his houſe about two of the clock in the afternoon that day, and that *Guinet* cut his (the ſaid Barber's) hair, and afterwards that they went both of them from his houſe, and ſaid they would go to a Play.

I muſt not omit one paſſage more upon the Teſtimony given by a Woman (whoſe name I have forgot) produced on the behalf of the Priſoners, ſhe ſaying ſhe had upon the Wedneſday hired out a Gray Mare to carry one of them to *Hatfield*, and the Butchers having ſaid that one of the Thieves that robbed them the Monday before on *Totternol-hill* was upon a Gray Mare: the Chief-Juſtice (to ſhew the colour was the ſame, and that ſo it might be thought to be the ſame Mare) would have the Woman repeat it again, and therefore asked her, *What colour her Gray Mare was of?* which having moved ſome laughter, he put it of with a jeſt,

mentioning the old ſaying, that the Gray Mare is the better Horſe.

And ſo the Examination of Witneſſes for the Priſoners ended; For the Judges ſaid, there was not Evidence againſt the other two Priſoners, *viz. Guinet* and *Boutandon*, wherefore there was no need of hearing any more Witneſſes on their parts. And then calling the Jury, the Chief-Juſtice applied himſelf to them, and to the ſumming up of the Evidence, which had been given *pro* and *con*, for the Priſoners and againſt them. In which to be ſhort, I ſhall only ſay, that he inſiſted much upon the contradictions which he ſaid he had obſerved in the Evidence brought on the Priſoners behalves, the Witneſſes thwarting and contradicting one another, which took off much from the Credit of their Teſtimony, and that three men had poſitively charged them with that Robbery upon their Oaths; Only he acknowledged ſomething to have been ſaid materially by Sir *Stephen Fox* for the clearing of *Beauvau*, and ſo would have differenced his caſe from that of the two young Gentlemen whom I had appeared for, and bayled; and what ground there was for it, let any indifferent man judge, that reades this Narrative: But ſo he left it to the Jury.

The Jury then went together from the Bar, and after ſome two hours ſtay returned, and delivered in their Verdict, *Not Guilty*: Upon which Mr. Juſtice *Morton* (as I am informed, for I was then gone out of the Court,) ſaid to them, Gentlemen you have done well; and if I had been of the Jury, I ſhould have done the ſame thing that you have done. And ſo the Tryal ended.

And now I ſhall give an account what hand I had in taking the Confeſſions of *Du-Val* and *Mac-Guy*, and likewiſe

wife of *Walrond*. I was from the beginning as certain, as I could be of any thing that I had not ſeen with my own eyes, that the two French Gentlemen were moſt Innocent of the Robbery which was laid to their charge: And I did verily believe, That *Du-Val*, who likewiſe was a French-man (but ſpake as good Engliſh as any natural-born Engliſh-man) had done the Feat, and that the Butchers might be deceived, taking one French-man for another, and really think themſelves in the right, accuſing thoſe they did, and ſo be guilty of falſe ſwearing without knowing it: Wherefore when *Du-Val* was apprehended, I did within a day or two after, take a Gentleman with me, (one Mr. *Hull* of *Dorſetſhire*) and went to *Newgate* to ſpeak with him; and when I came thither, I did ſend for him into the Hall, which was full of People as it could hold, come out of curioſity it ſeems to ſee him, though I knew none of them except Mr. *Charles Bartue* Brother to the Earl of Linſey, who with twenty more heard all I ſaid to *Du-Val*, and I doubt not but he will teſtifie the truth of what I here ſay, which is this, That when *Du-Val* came to me, I ſaid this to him, Mr. *Du-Val*, I am ſorry that you have brought your ſelf into this bad condition, it hath been your own fault; And the beſt Counſel I or any man can give you, is, to make your Peace with God Almighty, and make way for his Mercy; and one good help to it will be, to do all the good you can before you dye, that is, by preventing Miſchief as much as in you lies, diſcovering thoſe Perſons who have joyned with you in committing of Robberies, That they may be apprehended, and rob no longer; and confeſſing the Robberies that have been done by you, that Innocent Perſons may not ſuffer for them: Then I asked him if he had not done that Robbery at *Totternol-Hill*, for which ſome Country-men of his were queſtioned? He then ſtood ſtill a good while, with

his head down, and his finger upon his mouth, muſing, and ſaid at laſt, That he was within three miles of the place where thoſe French-men were apprehended, at the time of their Apprehenſion. But I preſt him again to ſpeak to the Robbery: And then he denyed it, and ſaid he was not there: To which I replyed but this, I have no more to ſay to you; God forbid you ſhould take it upon your ſelf if you be not guilty. This I will be depoſed was the ſumme of all I ſaid to him; And ſo I came away, and thought no more of it, till two dayes before his Execution, that one of the two French-Gentlemen came and told me, That now *Du-Val* had cleared them, and confeſſed, That he and others had committed that Robbery; And I asked him to whom he had confeſſed it, to an Engliſhman or a French-man? he ſaid, to an Engliſh-man: I asked him then, if that Engliſh-man would tell me ſo much? He anſwered, that he thought he would, and that he would bring him to me; which I deſired might be the next morning: Accordingly he did bring him to me the next morning, and that man did tell me, That *Du-Val* had confeſſed to him, That he and four others, whom he named to him, had committed that Robbery at *Totternol-Hill*; thoſe four he ſaid were *Mac-Guy*, *Aſhenburſt*, *Caſſels*, and *Walrond*: I asked him, if *Du-Val* would declare ſo much to any other perſon that ſhould be ſent to him? he anſwered, That he was confident he would, for he had not revealed it to him in Confeſſion; which made me believe him to be a *Romiſh* Prieſt; but I took no notice of that, only ſaid, That it would be worth the while, and that perhaps I ſhould uſe ſome means that his Examination ſhould be taken before he ſuffered.

It was upon a Councel-Day, and I was then going to Councel, where I acquainted the King with what had been told me that morning, and ſaid beſides, That I thought it would

would be very well, if that the Butchers that had accuſed thoſe French-men were ſent for to be confronted with *Du-Val* before he dyed; things might be ſet right, Innocent Perſons might be freed, and the Butchers themſelves be diſabuſed, That they ſhould not, by miſtaking one French-man for another, perſiſt in their falſe Oathes. His Majeſty anſwered, I think it will be very well, Let them be ſent for, and accordingly bade me call Mr. Secretary *Trevor* to him, who was in the Room, to whom He gave Order to ſend for the Butchers. After the riſing of the Councel I returned home; And ſoon after one of the Meſſengers of the Chamber came to me from Mr. Secretary to know the place of the abode of thoſe Butchers, Mr. Secretary having forgot it; And the Meſſenger, after I had informed him of it, went his way.

That afternoon Sir *George Charnock* came to my Houſe, (as he uſed to do many times) and I told him what I heard that *Du-Val* had confeſſed, and what was done upon it, and asked him, if he could be at leaſure to go to *Newgate* to hear what *Du-Val* and the Butchers would ſay one to another? He ſaid he would.

And then conſidering whom I ſhould joyn with him, I pitch'd upon Mr. *Blackwell*, a Counſellor at Law, who being an Acquaintance of Mr. *Sedgwicks*, and uſing much to his Houſe, had been with me once or twice for the buſineſs of thoſe two French-Gentlemen; I ſent to him to deſire him, that he would give himſelf the trouble of that Employment, and he accepted of it. Theſe two were utterly unknown the one to the other, and had never ſeen one another before; ſo it had been a very weak part in me to have together engaged them in a foul Contrivance, nor is it likely they would have truſted one another to have together undertaken it.

That night very late, as I was going to bed, one of my Ser-

vants

Servants came and told me, That the Messeng er wascome with the Butchers, and said that Mr. Secretary had given him Order to bring them to me: Whereupon I sent for them all into my Chamber, and asked them if they were the men that were robbed at *Totternol-Hill?* They said they were; and I told them, That it seems it was *Du-Val* that robbed them. *Bellingham* (who was the forward man) presently said, No, he would swear it was those French-men that were taken at *Hatfield*: I bad him take heed how he did swear, for if it was not they, he would be forsworn; but he stood to it, that they were the men: Then I asked the rest, what they said to it? *Simmons*, who was the man robbed, was nothing so positive as *Bellingham*; *Lawrence* said, he could not swear who it was, for he rode away before they came so near as that he could discern them to know them again; *Solomon Grace*, said these words, My Lord, I have not sworn against them, nor will for the World; They used me well whoever they were, for I rode with them a good way, and had fourscore pounds about me, and they meddled not with me, but when they left me and rode back, they bade me Farewel. (Yet did this man at their Tryal swear as lustily as *Bellingham* himself; but how he came to do so, let them give an account who perswaded him, and no question they will do it one day.) I said only this to them, Well Friends, it is the King's Pleasure you should see *Du-Val*, and he you, therefore if you will be here to morrow morning betimes, I shall send some with you who shall bring you to him; And I bade my Servants, who were in the Room, have them down to the Buttery and make them drink, where discoursing again of the business, *Solomon Grace*, in the presence of three or four of my Servants (who will be deposed of it) said again the same thing that he had said to me in my Chamber, That he had not sworn against them,

nor

nor would for the World. *Bellingham* ſtill obſtinate, and in ſuch a rage, as my Servants afterwards told me, that he would taſte neither Beer nor Wine.

In the morning, Sir *George Charnock* and Mr. *Blackwell*, and with them Mr. *Sedgwick's* Son came to my Houſe, where they met the Butchers and the Meſſenger, and all together went to *Newgate*: and Sir *George Charnock* and his Company came back at Noon, and gave me an account of their Negotiation, which was this; They told me they were firſt with *Du-Val* and examined him, who had fully confeſſed the Robbery, and told the Butchers of many particulars, which the Butchers themſelves had acknowledged true, yet would not be convinced; but that one of them eſpecially (which was *Bellingham*) ſtill perſiſted, ſaying, That the other men did the Robbery.

What *Du-Val* ſaid, they had put down in Writing, and they three had ſigned it; but *Du-Val* being preſently to be carried out to Execution, they ſaid, they had not put him to ſign it.

They afterwards asked if *Mac-Guy* was ſtill in Priſon? and becauſe *Du-Val* had named him to have been one of the Company, they would examine him, and went up to him; and firſt it ſeems they three went up by themſelves (which yet I do proteſt I knew not, till I heard it ſaid at the Tryal in the King's-Bench, though I do not underſtand that they did ill in ſo doing, to ſee what temper he was in, being a condemned man, before they would bring the Butchers to him) they do all three ſay, that they did not acquaint him with any of the particulars that *Du-Val* had declared, till he had acknowledged himſelf an Actor in the Robbery, confeſſed the whole buſineſs, and of himſelf told them many of the ſame paſſages which *Du-Val* had told before, he not knowing what *Du-Val* had ſaid. It ſeems he was unwilling at the firſt to confeſs any thing,

and

and ſaid, he did not know the Butchers: and they ſaid the like that they knew not him; but upon their preſſing him a ſecond time to diſcharge his Conſcience, he then confeſſed all, which they took in writing, and he put his hand to it. Both their Confeſſions (*Du-Vals* and his) I ſhewed to his Majeſty, and they are inſerted here *Verbatim*.

The Examination and Confeſſion of *Du-Val*, Priſoner in *Newgate*, taken by Sir *George Charnock* Knight, Mr. *Andrew Blackwel*, and *William Sedgwick*, immediatly before his Execution, being the 21th of *January* 16$\frac{87}{88}$, in the preſence of *Solomon Grace*, *Robert Simmons*, *Robert Bellingham* and *Edward Lawrence*, all of the Pariſh of *Edmondton* in the County of *Middleſex*, Butchers; concerning a Robbery committed on them at *Totternol* in the County of Bedford, by the foreſaid *Du-Val*, with *Walrond*, *Aſhenhurſt*, *Caſſels*, and *Mac-Guy*.

When and where the ſaid Du-Val *confeſſed and ſaid, That the ſaid Robbery was committed by him and his above-named Companions: and more particularly, That* Solomon Grace *aforeſaid being ſhewen unto him, did ride with them about a mile, till coming to two little Houſes at the bottom of the Hill, they left the ſaid* Solomon Grace *watring his Horſe, and returned up the Hill, where they met with the other three* Butchers, *one whereof fled upon the Plowed-Lands, whom the ſaid* Du-Val *purſued upon a little gray Nag, but could not overtake him, becauſe of the weakneſs of his horſe, which he was forced to lead in his hand afterwards at leaſt the ſpace of twelve-ſcore: In the mean while* Aſhenhurſt *robbed* Simmons *of twenty ſeven pounds, or thereabouts, part whereof was in odd money: And that from the other nothing was taken, but a girdle,*

girdle, and the bridle pulled off his Horſes head: Which circumſtances of the Action the aforeſaid Simmons *and* Bellingham *did then acknowledge to be true. And he further confeſſeth, That after this Robbery committed as aforeſaid, he did perceive one of the two perſons that were robbed, to ride hard towards* Layton, *which by the acknowledgment of* Bellingham *was himſelf. And the ſaid* Du-Val *at the time of his Confeſſion aforeſaid did adviſe the afore-named* Butchers, *to be cautious how they proſecuted Innocent Perſons; declaring, that men of their Trade did not care how they ſwore againſt any man: For, a Robbery was committed by him on ſome other Butchers, and they had peremptorily charged it upon another perſon. And in the concluſion of his Confeſſion he put on his Perriwig, affirming, that he was preſent at the Robbery in the ſame Perriwig ſo tyed up, and asked* Bellingham *if he knew him now?*

Signed by us,

G. Charnock.
Andr. Blackwell.
William Sedgwick.

The Examination and Confeſſion of *Patrick Mac-Guy*, Priſoner in *Newgate*, taken by Sir *George Charnock* Knight, Mr. *Andrew Blackwell* Gent. and *William Sedgwick* Citizen, the 21th of *January* 16$\frac{8}{9}$, concerning a Robbery committed by him, with the aforeſaid *Du-Val*, *Walrond*, *Aſhenhurſt*, and *Caſſels*, in the Pariſh of *Totternol* in the County of *Bedford*.

Patrick Mac-Guy *confeſſeth, and ſaith, That he was with the aforeſaid* Du-Val, Walrond, Aſhenhurſt *and* Caſſels, *at* Totternol-Hill *in the foreſaid County, where they met with three perſons, one whereof they robbed of about twenty ſeven pounds, of which twenty one pounds odd money was in a Wallet,*

which

which was taken by Ashenhurst, *and had in it about thirty or forty shillings in Ninepences and Thirteen-pence-half-pennies: The other which he took out of his pocket* Ashenhurst *never discovered. One man made his escape, and the other had nothing taken from him. The time of the day, about three of the clock in the afternoon. That* Bellingham *had a green Rugg upon his Saddle: which he the said* Bellingham *confesseth.* Simmons *likewise confesseth, That there was odd money in the sum, but remembers not the quantity; And that likewise in the Wallet there was Twenty pounds odd money; and that above five pounds was taken out of his pocket.* Mac-Guy *further declares, That an old man kept them company about a mile to the foot of the Hill, where he watered his Horse; And that they bid him* Good Night old Man: *Which Circumstance* Solomon Grace *and the other three acknowledged to be true, they being acquainted with it when the said* Grace *came to them. And the said* Mac-Guy *declared, he never was in other Robbery, but this and my Lord* Grandison's. *He asked* Bellingham *if he did not remember, That he told them, that he was a poor* Grasier, *and had no Money? And* Bellingham *at first replied,* No, he remembred no such thing; *but recollecting himself, told them, he said,* he was a poor man, and had no money.

Signed by us, G. Charnock.
Andr. Blackwell.
William Sedgwick.

Signed,
Patrick Magee.

I appeal now to every mans Conscience that shall read these Confessions, if it can be believed, that any other, but these men that knew all these particulars, could be guilty of this Robbery; and if it was possible that Sir *George Charnock* should have put all this into *Mac-Guy*'s mouth, who did not only say the same things that *Du-Val* had said, but enlarged and confirmed them with many other Cir-

Circumſtances, which the Butchers themſelves confeſſed and acknowledged to be true, and which Sir *George Charnock* could not know: As the Money taken, to have been, ſome in a Wallet, ſome in *Simmons* Pocket, and that the broken Money was part of that in the Wallet: This *Du-Val* had not ſpecified, yet it is a great Confirmation of what he had ſaid: Then one man to eſcape, which was *Lawrence*. That *Bellingham* had a green Rugg upon his Saddle, which *Bellingham* could not deny, but acknowledged to be true. That *Solomon Grace* watering his Horſe at the foot of the Hill, they ſhould ſay to him, *Good night old man*, which *Du-Val* had not ſaid: So to tell what *Bellingham* ſaid to them, which he acknowledged ſo far, as to confeſs, that he ſaid, *he was a poor man, and had no Money*, though not that he was *a poor Graſier*, as *Mac-Guy* had ſaid: which was no great miſtake. Certainly none but they that were preſent and did the Fact, could diſcover theſe particularities.

I ſhall now give an Account of my Tranſactions with Mr. *Walrond*, whom I thought fit to examine, after I had ſeen what the other two had ſaid: And therefore went to the *Gate-Houſe*, and ſpake with him there in the Kitchin, where the Lady *Broughton*, (who hath the keeping of the Priſon) and the Turn-key were preſent, and heard all I ſaid to him; I asked him, if he knew any thing of the Robbery commited ſuch a day at *Totternol-hil*: Of which I deſired him but to tell me the truth?

His anſwer to me was this, *My Lord, no body as yet hath come againſt me to accuſe me, ſo I have not been indicted; And if I ſhould accuſe my ſelf, I might bring my ſelf into trouble, and I have not yet my Pardon, which I hope I ſhall obtain of the King's Mercy.*

I replied; Mr. *Walrond*, this I will promiſe you, that

whatsoever you say to me shall not rise in judgment against you, it shall do you no hurt I do assure you; I desire but to know the truth: for some Persons are accused of that Robbery, who I know are very Innocent: (And whether or no I told him so much, as that *Du-Val* had confessed it, I do protest I do not remember, they may be asked that were present, the Lady and the Turn-key (I have not spoken to them since, nor will I) but I think I did not; however if I had, I know not that any thing would have been amiss in it, if in general I had told him, that *Du-Val* had confessed it:) His answer to me was, *My Lord I will cast my self upon you and tell you all*, and then did confess to me the whole matter, and told me many particulars. Then indeed I did say to him, that he had done well, and had told me but what I knew before, for both *Du-Val* and *Mac-Guy* had confessed the same things; And as to his Pardon I did again assure him, that it should be no prejudice to it, happily it might be an advantage, for that I would endeavour all I could to help it forward: He afterwards at my desire put down in writing what he had said; And I did move his Majesty for his Pardon, and got it passed for him, which I did for two ends; One out of Charity, he had no Money to pay for it, and he deserved it for the discovery which he had made of that knot of Thieves *Du-Val* and his companions, some of whom were taken, and the knot thereby broken by his means: the other end was, that he might be *Rectus in Curia*, and appear a competent Witness, to discover the truth of that Robbery; But he was so terrified at the Tryal with being threatned and told he had now confessed enough to be endicted for it, and perplexed with questions, that he knew not almost what he said, and left an impression (I verily believe) with most of the standers-by, that he was gained by me to take this Robbery upon him, meerly to

save

ſave the French men at the Bar, himſelf not at all guilty of it.

But how undeſervedly that could be imputed to me, let my greateſt Enemy be Judge, if this my Narrative be true, as I take the God of Truth to Witneſs, that it is true, I mean for matter of Fact, and for what I relate here, as ſaid or done by me, and for my intention, that it was juſt and honeſt, without any Trick or Deſign, and all above-board, meerly to preſerve Innocency, and that in Strangers, that wanted Language, Friends, and all other ſupport and help to make their Innocency appear.

I have always heard, that the Judge ſhould be of Counſel with the Priſoner; And that is one reaſon given, why he needs no other Counſel, and that the Law allows him none; For the Judge upon the Bench ought to help him with his advice and direction, that he run not into any Inconvenience, by his ignorance of the Law, and of the Forms of Proceeding, and to take care that he be not circumvented and ruined by the Malice, Art, and Cunning of his Proſecutors, or by the Weakneſs and Simplicity of ſuch Witneſſes, as are produced to juſtifie and clear his Innocency, who many times have not Wit nor Elocution to tell their Tale ſo, as to make his Innocency and the Truth to appear. And certainly it is the duty of a Judge, and Juſtice is as much concerned, to preſerve and deliver an Innocent Perſon, that is falſly accuſed and unjuſtly proſecuted, as to condemn and puniſh one that is really Criminous; and that of the two is the more acceptable, and well-pleaſing both to God and Man.

Theſe two Gentlemen were Strangers, that underſtood not the Language, either what was ſaid to them by their Judges, or againſt them by their Accuſers, or for them by their Witneſſes; And they had an Interpreter given them,

them, a young Student that was there in Court, who did need an Interpreter himself: For no body understood a word he said, scarce when he spake English, he spake so low and unintelligibly, so as they were never the nearer to understand any thing that passed, though so much concerning them, even their Lives; nor was there any care taken that they should understand any thing, the Interpreter not once bid to ask them a Question upon what was urged against them, to know what they would say to it.

And commonly a Judge will call for the Examination taken upon the first Commitment of a Felon, and begin there; But not a word of that, for that Examination would not have been authentick, not being taken upon Oath, nor they positively charged by those Butchers, who only said, One of them, That they were like the Men whom he saw upon the Road; *Simmons*, That he believed they were the Men that robbed him; And *Bellingham* himself no more but this, That he verily believed *Adrian Lampriere* was the Man that pulled the Bridle off his Horse-head: This was well known to be no sufficient ground for the Justice to send them to Gaol, clap Irons upon them, and put them into a room without light, with a little Straw to lie upon, more like Dogs, then Men, especially Gentlemen and Strangers: Nay, the second Examination was not produced neither, that which the Lord Chief-Justice took himself four or five dayes after, when he sent for those Butchers to *London*: For though two of them indeed had there taken their Oaths, and charged them positively, yet *Solomon Grace*, who at this Tryal in the Kings-Bench swore as stoutly as any, would not swear then.

And another particular I observed, that the Butchers said in their Evidence, That these men were taken upon the *Hue* & *Cry* at *Hatfield*; and it is very usual for a Judge upon

upon a Bench, when Felons are apprehended upon ſuch a Warrant, and brought to their Tryal, to call for that Warrant, to ſee the deſcription there given of the Perſons purſued and apprehended upon it, whether or no it agrees with the Priſoners at the Bar, which gives a great light to diſcover if they be the Men, and probably would have ſhewed that theſe were not; Nothing of this neither, but with what intention neglected, I judge not.

It is certain that the Priſoners were far from receiving any favour, the younger of the Gentlemen, Mr. *Hoeville*, who underſtood not any thing of all was done or ſaid againſt him, and I believe not apprehending of what concernment it was to him, out of a childiſh Innoceney hid his face and ſmiled a little, to ſee ſuch a ſtir about him; The Chief-Juſtice eſpyed it, and fell upon him ſeverely for it, telling him he muſt not laugh there, and put the poor youth paſt laughing, who yet underſtood not what he ſaid, only ſaw he was angry.

The other Gentleman, Mr. *Lampriere*, when he was asked, What he had to ſay for himſelf, to what the Butchers had laid to his charge (which yet was not interpreted and made known to him, nor did he at all know what it was, and yet was now to ſpeak to it for his life) began in his Language in French, to give ſome account of himſelf; The Chief-Juſtice ſtopt him, and would not let him go on, but bade him anſwer to the particulars, and yet took no care to let him know what they were; which was a great diſheartning to him. And uſually when any man, that is not known, is ſuſpected of a crime and tryed for it, the Judge will in the firſt place inform himſelf what the man is, and whence, and of what converſation of life, and learn all particulars that concern him, as much as is poſſible; which will be a great leading to his judgment of him, and of the matters that are brought againſt him; but here neither

neither the Priſoner could be permitted to give an account of himſelf, nor no body elſe muſt do it for him.

And I think there was as much reaſon now to proceed with Circumſpection, and to hear and examine, and well weigh all, for and againſt thoſe Priſoners, as for any that had been tryed at that Bar of a great while; There were Perſons of Quality appeared in their behalfs, undertook largely for them; That they were not Men to do ſuch an Act, being of good Families in their own Country, Strangers, newly arrived here to ſee this Country, no wayes in need of Money, bringing with them ſufficient to defray the charge of their Travels, ſo moſt unlikely they ſhould begin here with Robbing upon the High-way: But further, there were thoſe of good Credit, that did affirm upon their Credits, ſome upon their Salvation, and all of them ready to be depoſed, that they could not be guilty of that Fact, for that they ſaw them, and ſpake to them here in *London* that day, and in that inſtant of time, that the Robbery was committed above thirty miles off in Bedfordſhire; ſo there was an impoſſibility of their being guilty of it. And who accuſed them? Three mean Fellows, of no very good lives nor converſation; and they Butchers, of no commendable Occupation to have to do with Mens Lives, either as Jury-men or Accuſers; and one of theſe as bold an impudent Fellow as ever I ſaw with my eyes, that is *Bellingham*: And more than all this, it was well known, That even His Majeſty himſelf had a ſtrong perſwaſion of their Innocency, and was deſirous that all juſt Favour ſhould be ſhewed unto them, and had Himſelf done all towards it depending upon Him, and the rather becauſe they were Strangers, who were newly come into his Kingdom, and ſo had put themſelves under his Protection; and his Majeſty had well conſidered the conſequence, both as to the Reputation abroad of his Royal Juſtice and Good Government,

Government, and likewiſe for the Safety and Freedom of of his Subjects in Forreign Parts, who muſt have expected the ſame meaſure there. Certainly, all this laid together, me-thinks ſhould have made one cautious how he entertained a prejudicate Opinion againſt them, and not to take advantage upon any Miſtake, eſpecially in Circumſtances not at all material, As whether the Gentlemen landed and came to *London* the ſecond, or the third of *November?* Where they dined the Sunday before the day of the Robbery? Whether it was Plowed-Land, or Stubble that the Butcher rode over, when he ran away from the Thieves, and they followed? And becauſe there was ſome diſagreement in theſe particulars, which ſignified nothing to prove them either Innocent or Guilty, yet this was blown up to ſuch a Magnitude of Contradiction, That the whole Teſtimony of thoſe Witneſſes muſt be overthrown by it.

To ſay the truth, there was not the leaſt colour of Guilt upon them. Therefore it is well, that their Tryal received ſo fair an Iſſue, anſwerable to their Innocency; and that they were at laſt delivered from the Unjuſt and Malicious Proſecution of thoſe Butchers: For had that Malice prevailed, and Innocency been oppreſſed; and Strangers, who by the Law of Nations are to receive Favour and Protection, in lieu thereof had found here Injuſtice and undeſerved Ruine, What would have followed upon it? Our Governmenr, and our Adminiſtration of Juſtice would have been a Reproach and a Hiſſing to Forreign Nations, and eſpecially to our Neighbours of *France*, who would have hated and derided us for it, and perhaps have made the next *Engliſh-man*, that ſhould come amongſt them, pay for this piece of Injuſtice ſhewed to their Country-men: And what evil more might have enſued, how many unconcerned Innocent Perſons have ſmarted for it, no man knows. But this I know, That even theſe two

Gentlemen, however they may have ſeemed mean and deſpicable here, oppreſſed as they were, and perſecuted in a ſtrange Country, and put to a vaſt Charge and Expence, have yet Friends and Kindred in their own Country, who have courage enough to reſent, and very likely it is that they would have reſented ſuch an Injury done to their Kinſmen here, and would have revenged it upon the next of the *Engliſh* whom they had found in *France*; And as one Miſchief brings on another, who can tell but it might have brought on a National Quarrel at laſt? But God be thanked, there is now no Cauſe to apprehend theſe ill Conſequences; Juſtice hath prevailed, Innocency hath found Protection, and all Machinations and Contrivances againſt both Juſtice and Innocency, have been defeated, and the Parties wronged have received ſome Reparation for the Injuries, which were then offered unto them.

For thoſe Gentlemen have ſince brought their Action againſt the Butchers for their Unjuſt and Malicious Proſecution of them, and have recovered Four Hundred Pounds Dammages in the *Court of Common-Pleas* before the Lord Chief-Juſtice *Vaughan*: And I have made my Complaint to the Houſe of Peers of the Lord Chief-Juſtice *Keeling* his (as I thought) unfitting Expreſſions and Carriage in relation to me, particularly for laying to my Charge a *foule Contrivance* in the carriage of this buſineſs, (as I then underſtood it, and I do believe all that heard him when thoſe words were uttered by him; but he hath ſince denied that he meant it of me, ſo I am ſatisfied:) And their Lordſhips have called him before them, and after hearing us both, have adjudged him to make me a Satisfaction, (which he hath accordingly made) as is expreſſed in their Order of Friday the 10th of *March* 1670, entred upon Record in their Journal-Book, with which I ſhall conclude.

The Record is as followeth:

Die

Die Veneris, decimo Martii, 1670.

THis day the Lord Holles *produced ſeveral Witneſſes to be examined concerning his Complaint (in his Petition) of ſeveral Indignities put upon him by the Lord Chief-Juſtice of the Court of* Kings-Bench, *at the Tryal of ſome French-Gentlemen in the ſaid Court of* Kings-Bench, *who were there falſly accuſed of a Robbery by four Butchers in* Eaſter-Term *laſt: After the hearing of which Witneſſes, the Lord Chief-Juſtice made his defence, and denyed, that he intended any thing againſt the Lord* Holles, *when he ſpake thoſe words at the ſaid Tryal,* [That it was a foule Contrivance *&c.*] *as in the Petition is ſet forth: To which Defence the Lord* Holles *made a ſhort Reply, and then voluntarily withdrew himſelf, and the Lord-Chief-Juſtice withdrew himſelf alſo. Upon which the Houſe took the whole matter into ſerious conſideration, and ordered, That the Lord Chief-Juſtice ſhould be called to his place as a Judge, and openly (in the preſence of the Lord* Holles) *the Lord-Keeper ſhould let him know,* That this Houſe is not ſatisfied with his carriage towards the Lord *Holles* in this buſineſs, *and therfore hath Ordered, that he ſhould make this Acknowledgment, which is to be read by the Clerk, as followeth,* That he did not mean it of the Lord *Holles* when he ſpake thoſe words, [*That it was a foul Contrivance*] and that he is ſorry that by his behaviour or expreſſions he gave any occaſion to interpret thoſe words otherwiſe; and asks the Pardon of this Houſe, and of the Lord *Holles*.

Then the Lord Chief-Juſtice of the Court of King's-Bench *was called to his place (the Lord* Holles *being alſo preſent) the Lord-Keeper performed the directions of the Houſe, and the Lord Chief-Juſtice read the Acknowledgment aboveſaid, onely changing the ſtyle into the firſt perſon.*

John Browne, *Cleric. Parliamentorum.*

And this being the true State of the whole Business, I do appeal to all Mankind to judge, if there was any colour of Truth in that Accusation of the French-Gentlemen by these Butchers, if in the least degree they were deserving such a Prosecution, and much less the thing aimed at by that Prosecution, the taking away of their Lives; And if I, by endeavouring (as I did) their Assistance and Preservation, deserved any blame either for the Matter or Manner of it.

FINIS.